



Image

RCE  
3600

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
 Mail Stop RCE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Application Number	10/044,434
Filing Date	January 11, 2002
First Named Inventor	Peter A. Warren
Art Unit	3637
Examiner Name	Tran A. Phi Dieu N.
Attorney Docket Number	FM-212J

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO ) on page 2.

1. **Submission required under 37 CFR 1.114**

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
 ii.  Other \_\_\_\_\_

b.  Enclosed

i.  Amendment/Reply      iii.  Information Disclosure Statement (IDS)  
 ii.  Affidavit(s)/Declaration(s)      iv.  Other Extension of Time Within the Third Month

2. **Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)  
 b.  Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 09-0002

i.  RCE fee required under 37 CFR 1.17(e) 04/21/2004 MAHMED1 00000152 10044434  
 ii.  Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:2801 385.00 DP  
 iii.  Other \_\_\_\_\_

b.  Check in the amount of \$ \$385 + \$265 enclosed  
 c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

#### **SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

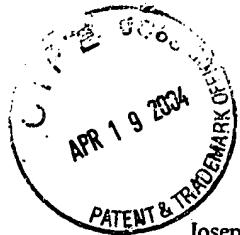
Name (Print / Type)	Jason D. Shanske	Registration No. (Attorney / Agent)	43,915
Signature		Date	4/15/04

#### **CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)	Leslie Ruano
Signature	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



# IANDIORIO & TESKA

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April 15, 2004

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22213-1450

SUBJECT:	Applicant:	Peter A. Warren
	Serial No:	10/044,434
	Filed:	January 11, 2002
	For:	FOLDABLE MEMBER
	Examiner:	Tran A., Phi Dieu N
	Group:	3637
	Docket No:	FM-212J

Dear Sir:

Enclosed is a Request for Continued Examination (RCE) Transmittal, a check for \$385.00 for the filing fee, an Extension of Time Within The Third Month and a check in the amount of \$265.00, the difference between the \$475.00 third month extension fee and the \$210.00 previously paid for the Extension of Time Within the Second Month on March 15, 2004.

If for any reason this Request for Continued Examination (RCE) Transmittal is found to be INCOMPLETE, or if at any time it appears that a TELEPHONE CONFERENCE with counsel would help advance prosecution, please telephone the undersigned or his associates, collect in Waltham, Massachusetts, (781) 890-5678.

If any payment during prosecution is found to be incorrect, please charge any deficiency or credit any overpayment to my Deposit Account No. 09-0002. A copy of this letter is enclosed for use by the Finance Branch in the event that it is necessary to make any charge or credit to my deposit account.

Kindly acknowledge receipt of the foregoing by returning the enclosed self-addressed postcard.

Jason D. Shanske  
Reg. No. 43,915

JDS:lr  
Enclosures

Commissioner for Patents

April 15, 2004

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first-class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 15, 2004.

  
Leslie Ruano